

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TRUSTEES OF THE SUBURBAN TEAMSTERS )  
OF NORTHERN ILLINOIS WELFARE AND )  
PENSION FUNDS, )

Plaintiffs, )

v. )

PREFERRED PAVING & CONSTRUCTION, )  
COMPANY, an Illinois corporation, )

Defendant. )

No. 07 C 1238

Judge Lefkow

Magistrate Judge Schenkier

**MOTION FOR JUDGMENT IN SUM CERTAIN**

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for entry of a default judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on March 5, 2007 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service upon PREFERRED PAVING & CONSTRUCTION COMPANY, an Illinois corporation was made on the Defendant on March 12, 2007, and a copy of the proof of service was filed with the court on March 20, 2007.
3. On April 5, 2007, JOHN WILLIAMSON, Individually and as President of Preferred Paving & Construction Company entered into a Pension Fund installment note for \$3,430.04. Installment payments have made through June 15, 2007. The July 15, 2007 installment payment is in default. There remains a balance due the Pension Fund of \$2,442.02.

4. On April 5, 2007, JOHN WILLIAMSON, Individually and as President of Preferred Paving & Construction Company entered into a Welfare Fund installment note for \$5,085.00. Installment payments have been made through June 15, 2007. The July 15, 2007 installment payment is in default. There remains a balance due the Welfare Fund of \$3,821.00.

5. The Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$2,442.02 Pension installment note  
\$3,821.00 Welfare installment note  
\$925.00 Attorneys fees  
\$323.60 Court costs  
\$7,511.62

WHEREFORE, Plaintiff prays for the entry of judgment against Defendant, PREFERRED PAVING & CONSTRUCTION COMPANY, an Illinois corporation and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$7,511.62.

TRUSTEES OF THE SUBURBAN TEAMSTERS  
OF NORTHERN ILLINOIS WELFARE AND  
PENSION FUNDS

**s/John J. Toomey**  
ARNOLD AND KADJAN  
19 W. Jackson Blvd., Suite 300  
Chicago, IL 60604  
Telephone No.: (312) 236-0415  
Facsimile No.: (312) 341-0438  
Dated: August 7, 2007